

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

In Re:

MARTTI Q. RUONA,

Debtor.

No. 7-06-10901-ML

KIERAN F. RYAN, Trustee,
Plaintiff,

-vs-

Adversary No. _____

MARTTI Q. RUONA,
KIM ILONA M. RUONA and
ESKO K. RUONA,
Defendants.

**COMPLAINT TO AVOID FRAUDULENT TRANSFERS
AND RETURN OF PROPERTY AND/OR ITS VALUE
[11 U.S.C. § 548(a)]**

COMES NOW Kieran F. Ryan, Trustee in Bankruptcy for the above captioned debtor, and for his Complaint alleges and states:

1. That he is the duly qualified and acting trustee in this case.
2. This Court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(H). Venue properly lies in this judicial district pursuant to 28 U.S.C. § 1409(a), in that the instant adversary proceeding is related to the above-captioned case under title 11 of the United States Code which is still pending.
3. This case was commenced on May 31, 2006.
4. Within two (2) years prior to the commencement of the case, on June 30,

2004, a Warranty Deed was recorded with the Dona Ana County Clerk's Office, whereby the debtor/defendant, Martti Q. Ruona (hereinafter referred to as "debtor"), transferred to the defendants, Kim Ilona M. Ruona and Esko K. Ruona (hereinafter referred to as "defendants"), his interest in the property described as 2420, 2424 and 2428 Dona Ana Road, Las Cruces, New Mexico.

5. Upon information and belief, the debtor received little or no consideration in exchange for such transfer, and, at that time, he was involved in a pending divorce action.
6. Kim Ilona M. Ruona and Esko K. Ruona are the debtor's sister and brother, respectively, and said transfer was made for the benefit of these insiders, contrary to 11 U.S.C. § 548(B)(ii)(IV).

WHEREFORE, the trustee prays that this court issue its order avoiding the above described transfer, ordering defendants to turn over to the trustee the property so transferred as described herein, or one-half of its reasonable value in an amount based upon the current market value, for costs incurred herein, and for such other and further relief as the court deems just and proper.

Respectfully submitted,

{Electronic Signature}_____

KIERAN F. RYAN

Trustee in Bankruptcy

P.O. Box 26

Las Cruces, NM 88004

(505) 523-1515

*In Re: Martti Q. Ruona; USBC #7-06-10901-ML
Trustee -vs- Kim Ilona M. Ruona & Esko K. Ruona; adversary proceeding
Complaint to Avoid Fraudulent Transfer and Return of Property or its Value*

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